

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Farmer et al

SERIAL NUMBER: 09/424,527

EXAMINER: Francisco Chandler Prats

FILING DATE: May 29, 2003

ART UNIT: 1651

FOR: PROBIOTIC LACTIC ACID BACTERIUM TO TREAT BACTERIAL
INFECTIONS ASSOCIATED WITH SIDS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Response to Restriction Requirement (1 pg.);
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 19374-503 (GND-3). A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306
Attorney for Applicant
Tel.: (617) 542 6000
Fax: (617) 542-2241
Customer No. 30623

Date: January 12, 2006

01-17-06

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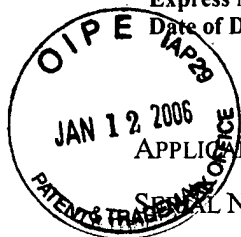
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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed on December 13, 2005, Applicants elect the invention of Group I, claims 1-25, drawn to a process of preventing or treating gastrointestinal infection in a human. This election is made without traverse.

Applicants further elect the following species: *Bacillus coagulans* as the microorganism, and FOS as the oligosaccharide.

CONCLUSION

If there are any questions, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

No fee is believed due with this filing. However, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 19374-503 (GND-3)).

Respectfully submitted,

I A Beattie

Ingrid A. Beattie, Reg. No. 42,306

Attorney for Applicants

c/o MINTZ LEVIN

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Date: January 12, 2006